

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GS HOLISTIC, LLC,

Plaintiff,

v.

ZAKKS SMOKE AND
BEVERAGE, LLC, et al.,

Defendants.

CASE NO. C23-0322JLR

ORDER

On January 2, 2024, Plaintiff GS Holistic, LLC (“GS Holistic”) filed a notice of settlement in which the parties stated that GS Holistic “w[ould] soon dismiss this case, upon finalization of the agreed upon terms of the Settlement Agreement.” (Notice (Dkt. # 16).) As of April 3, 2024, however, the parties had not yet filed a stipulation of dismissal. (*See generally* Dkt.) Therefore, the court issued an order directing the parties to “file, by no later than April 10, 2024, either a stipulation of dismissal . . . or a report that addresses: (1) the status of the parties’ settlement agreement, (2) an estimate of

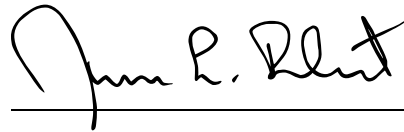
1 when the parties expect to dismiss this case, and (3) whether the parties object to the
2 court striking their September 30, 2024 trial date.” (4/3/24 Order (Dkt. # 17).)

3 Defendants Zakks Smoke and Beverage, LLC and Mohsin Husain (“Defendants”)
4 timely filed a response to the court’s order in which they stated that they “have been
5 waiting for Plaintiff’s counsel to forward a settlement agreement and stipulation and
6 order of dismissal.” (Defs. Resp. (Dkt. # 18).) They represented that they would “have it
7 signed expeditiously and returned to Plaintiff’s counsel for entry” provided it “accurately
8 reflects the agreement of the parties” and that they do not oppose striking the trial date.
9 (*Id.*) GS Holistic, however, did not respond to the April 3, 2024 order. (*See generally*
10 Dkt.) Accordingly, the court ordered GS Holistic to show cause by no later than April
11 15, 2024, why the court should not issue sanctions for failure to comply with the court’s
12 order. (4/11/23 Order (Dkt. # 19).)

13 GS Holistic timely responded to the order to show cause. (OSC Resp. (Dkt.
14 # 20).) Its counsel represents that GS Holistic failed to respond to the April 3, 2024 order
15 because the deadline “was not properly saved in . . . counsel’s calendar.” (*Id.* at 2.) It
16 asks the court to excuse its failure to respond because its delay was “minimal” and “there
17 is no danger of prejudice to the opposing party.” (*Id.*) It represents that it did not file a
18 stipulation of dismissal earlier because Defendants did not make any payments toward
19 the settlement before April 10, 2024. (*Id.* at 2-3.) It further represents that the parties
20 will file their stipulation of dismissal after Defendants make their final payment on May
21 10, 2024. (*Id.* at 3.) Like Defendants, GS Holistic does not oppose the court striking the
22 parties’ September 30, 2024 trial date. (*Id.*)

1 In light of the foregoing, the court DISCHARGES the order to show cause (Dkt.
2 # 19) and DIRECTS the Clerk to strike the parties' trial date. All remaining pretrial
3 deadlines are vacated. The parties shall file either a stipulation of dismissal or a status
4 report by no later than **May 15, 2024**. Counsel for GS Holistic shall ensure strict
5 compliance with the court's deadlines in the future.

6 Dated this 15th day of April, 2024.

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JAMES L. ROBART
United States District Judge